versions, and (3) video data common to said at least two versions, with said track containing at least one data block of each of said three types, comprising means for registering which of said versions is to be played, means for selecting only the blocks containing video data unique to the version being played and blocks containing video data common to said at least two versions, and means for sequentially reading only the selected video data to form a playback signal from the video data contained in the selected blocks to the exclusion of the video data in the same track in the unique to the version which is not being played.

The proposed count is identical to claim 43 and substantially identical to claim 54 of the present application. The proposed count is also identical to claim 1 of Cookson and substantially identical to claim 12 of Cookson. The method of claim 12 of Cookson is the counterpart of the system claim 1 of Cookson.

It is noted, that no correction is made, at this time, for what appears to be a drafting error in the last line of claim 1 of Cookson where "in the same track in the unique to" should read "in the same track unique to".

The present application is a division of patent application serial number 07/832,335, filed 02/07/92, and a "sister" of patent applications serial numbers 08/307,325, filed 09/16/94 (issue fee paid 08/23/97); 08/307,910, filed 09/17/94, now U.S. patent No. 5,696,869; 08/432,507, filed 05/01/95 (issue fee paid 10/23/97); and other pending patent applications.

In applications 08/307,325, 08/307,910, and 08/432,507, a terminal disclaimer was filed over U.S. patent 5,434,678 (serial number 08/002,998 filed 01/11/93). Divisions of '678 include U.S. patents 5,589,945 5,634,849 5,664,046 and pending patent

applications.

The copied claims corresponding to the count can be applied to the "Specification" of the present application as is outlined below by the illustrative references to the Specification which appear in parentheses with underlining added. The text of the count (claim 1 of Cookson) being highlighted.

> 1. **A system** (Video Disk Player of Fig. 5) **for playing a selected one of at least two versions of the same video program material** (a control system that provides a variety of different and complete edited versions of the same program obtained from the same single source recording, page 6, lines 4-6) **contained on a software carrier** ("means including...tape, videodisc, magnetic media, memory devices, chips and modules" at page 14, lines 7-12; "a program source that comprises at least one of the following formats: tape format, disk format, and memory device format of at least an electronic, magnetic, and optical format." in initially submitted claim 28; single source recording at page 6, line 6), **said software carrier having recorded thereon a single track** (Best's random access videodisc, U.S. Patent No. 4,569,026 incorporated by reference at page 22, lines 25-29, and Smith's compact disc, U.S. Patent No. 4,872,151 incorporated by reference at page 23, lines 28-29;) **with three different types of interleaved video data blocks** (video program having content information and video information in initially submitted claim 23; "logical retrieval of data and video information" at page 23, lines 12-18; a parallel non-sequential logical arrangements of segments at page 18, lines 17-19; "skip over parallel segments" at page 22, lines 10-16; initially submitted dependent claim 27 recites: "wherein said video program includes at least one of a parallel segment, and an overlapping segment, and a transitional segment") **containing respectively (1) video data unique to one of said at least two versions** (transitional segment 513 FIG. 3), **(2) video data unique to the other of said at least two versions** (segment 516 FIG. 3), **and (3) video data common to said at least two versions** (segment 514 FIG. 3), **with said track containing at least one data block of each of said three types** (transitional segment 513, segment 516, and segment 514), **comprising means for registering which of said versions is to be played** (FIG. 4 is a viewer scene selection screen; "Depicted by bold boxes is the viewer selected level for each category 542", page 21, lines 20-21; "a system that furnishes viewers with individualized automated non-

previewed control over a program's content" page 10, lines 4-5), **means for selecting only the blocks containing video data unique to the version being played and blocks containing video data common to said at least two versions** ("The segment table provides the segment scheduler 623 the data to cause the ordered retrieval of only the video segment consistent with the viewer preferences", page 24, lines 21-24; "The segment selected for viewing (a rating level equal to or next lowest rating) provides next segment beginning frame information" at page 22, lines 10-15;), **and means for sequentially reading only the selected video data** ("Referring now to FIG. 5, the video disk player of the present invention enhances existing readily available video disk player unit 601 and random access technology 602 by including video buffers 612 of sufficient size to permit random positioning of the head (measured in microseconds) to retrieve subsequent frame information from the videodisc without altering the transmission of the required frames per second to provide a transparently continuous video signal transmission to the monitor", page 23, lines 1-9) **to form a playback signal from the video data contained in the selected blocks to the exclusion of the video data in the same track in the unique to the version which is not being played.** ("This will skip over parallel segments of a lower rating than the viewed segment." at page 22, lines 15-16; "It is also an object of the present invention to include the capabilities for automatically selecting among parallel and overlapping segments to provide a video program that is highly responsive to viewer control over its content" at page 10, lines 9-12; "As a result, the particular scene of which these segments are a part may be viewed at any of the three rating levels" at page 21, lines 3-5; "provides a variety of different and complete edited versions of the same program obtained from the same single source recording" at page 6, lines 4-6.)

Accordingly, it is respectfully submitted that the count and claims 1 and 12 of Cookson are anticipated by, and are obvious in view of, the Specification of applicant's invention.

Similarly, the claims corresponding to the dependent claims 2-11 and 13-22 of Cookson can be applied to the "Specification" of the present application as is summarized below by the illustrative references, in parentheses, to the Specification, the text of representative claims being highlighted.

With respect to dependent claims 2, and 13 of Cookson:

2. A system in accordance with claim 1 wherein each of said data blocks further contains an address and pointer data identifying the address of the next data block to be selected for the version being played ("The beginning frame and end frame in each of the relevant segments is identified, the segment content is assigned a descriptor as per the category and rating structure, and logical entry and exit references are assigned 470." at page 18, lines 23-27; "The end of this segment 512 is linked to a new transitional segment 513 beginning at frame 35205 and ending at 35350, the end of which is linked to frame 6027. In this fashion, frames are omitted and added to provide a continuous transparent edited version of segment 3b", page 20, lines 8-12.) **and further including means for operating on block addresses and pointer data to determine the successive blocks that must be selected for the version being played.** "The control program 621, installed in firmware or memory, utilizes micro processor 603 and resident memory 604 to manage the random disk head controller 602 in the retrieval of data 631 and video information 611. Upon a "play" command, the control program causes the retrieval 631 of the program specific routines 632, and program content map 633 from the video/data disk." Page 23, lines 14-21; "the player software would read the program's identifier, search the storage for a corresponding viewer preference structure, and upon viewer confirmation, would apply the stored viewer preference structure to the program content map", page 24, lines 14-18.)

With respect to dependent claims 3 and 14 of Cookson:

3. A system in accordance with claim 2 wherein each of said data blocks further contains a code identifying whether the block contains data unique to one version, or data common to said at least two versions, (segment content is assigned a descriptor as per the category and rating structure, and logical entry and exit references are assigned 470" at page 18, lines 23-27; initially submitted independent claim 1, recites: "content defining means for defining contents of said at least one segment in accordance with content labels; "content coding" at step 470 FIG. 2") **and said operating means further operates in accordance with block codes.** ("The segment selected for viewing (a rating level equal to or next lowest rating) provides next segment beginning frame information" at page 22, lines 10-15.)

With respect to dependent claims 4, 8, 15, and 19 of Cookson:

4. A system in accordance with claim 3 wherein a lead-in

section of said software carrier track may contain type codes for said versions, ("producer code" at page 17, lines 1-10; "qualitative and classification program information,"... "player reads the program category listing structure supplied from the video disk" at page 27, lines 14-17; "The disk contains the map of the program segments, any user interface routines particular to the program, and player control codes," page 23, lines 21-23.) **and further including means for selectively disabling formation of a playback signal from blocks containing data unique to a version having a particular type code.** ("In this fashion, frames are omitted and added to provide a continuous transparent edited version of segment 3b", page 20, lines 10-12; " As a result, the particular scene of which these segments are a part may be viewed at any of the three rating levels", page 24, lines 3-5.)

With respect to dependents claim 5, 10, 16, and 21 of Cookson:

5. A system in accordance with claim 4 wherein said lead-in section of said software carrier track may contain software for determining how said type codes are to be used, ("The disk contains the map of the program segments, any user interface routines particular to the program, and player control codes," page 23, lines 21-23) **and further including means for reading said software and thereafter using said type codes in accordance therewith.** ("commands may be issued by the program to inhibit the application of a preestablished viewer preference structure and require the viewer to address the program's segment rating structure," page 17, lines 11-14.)

With respect to dependent claim 6, 7, 9, 11, 17, 18, 20, and 22 of Cookson:

6. A system in accordance with claim 5 further including means for forming a menu display under control of said software and said type codes, ("user interface routines particular to the program, and player control codes", page 23, lines 22-23; "In instances where the rating scale is not accommodated by the standardized structure supplied, the producer need only assign a producer code and build whatever scale he may deem desirable, from a simple "Yes/No" to a sophisticated three dimensional representation", page 17, lines 6-10) **and means for allowing a user to select a version to be played based on displayed menu choices.** ("commands may be issued by the program to inhibit the application of a preestablished viewer preference structure and require the viewer to address the program's segment rating structure," page 17, lines 11-14.)

Accordingly, applicant respectfully requests the declaration of an interference with the Cookson patent.

Nothing in the remarks herein should be construed, interpreted, or understood as limiting, or otherwise constraining any of applicant's inventions or the scope of any of their claims.

Respectfully submitted,

12-12-97

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I hereby certify that this Preliminary Amendment is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, DC 20231.

12-12-97

Max Abecassis
Person mailing papers

Abstract

A system for, and a method of, playing a variable content video contained in a memory device, such as an optical disk, the memory device further providing user interface routines and control codes; the video having a non-sequential logical arrangement of parallel, transitional, and overlapping segments, and content information defining and linking segments of the video responsive to at least one content category, such as a rating; the segments including (1) at least one segment unique to one of at least two versions of the same variable content video, (2) at least one segment unique to the other of said at least two versions of the same variable content video, and (3) at least one segment common to said at least two versions of the same variable content video; the segment definitions each having a descriptor responsive to the at least one content category; and the content information providing, responsive to a viewer's preference with respect to the at least one content category, and by means of random access and buffering means for the seamless skipping of segments, for the playing of a version of the video different in length than the length of the video.